

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 12-30895
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 30, 2013

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff – Appellee

v.

THOMAS A. NELSON, JR.,

Defendant – Appellant

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:10-CR-99-1

Before DAVIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Appellant Thomas. A. Nelson Jr. appeals the district court's denial of his request for release pending the resolution of his appeal of his conviction and sentence in case number 12-30101. On December 3, 2013, this Court's judgment in case number 12-30101 was issued as mandate. Accordingly, we are incapable of granting relief to Appellant in his appeal of the denial of his motion for release pending appeal. *See e.g., United States v. Rosenbaum-*

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 12-30895

Alanis, 483 F.3d 381, 382 (5th Cir. 2007); *see also United States v. Oriakhi*, No. 94-6605, 1994 WL 440387, at *1 (5th Cir. Aug. 16, 1994). Accordingly, Appellant's appeal is dismissed as moot.